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REMARKS

In response to the above identified Office Action, the applicants amend claims 2, 8, 11 and 12. The applicants add claim 26. No claims have been canceled. Accordingly, claims 2-26 are pending in the application.

I. Objections to the Specification

The Examiner has objected to the title of the application, stating that the title of the invention is not descriptive. The applicants believe that the title describes an embodiment of the invention presented in the application. The applicants request clarification as to what aspects of the invention must be described by the title. Accordingly, reconsideration and withdrawal of the objection to the title is requested.

II. Objections to the Claims

The Examiner has objected to claims 2, 8 and 12 stating that these claims include informalities. The applicants have amended each of these claims to correct the informalities noted by the Examiner. Accordingly, reconsideration and withdrawal of the objection to these claims are requested.

III. Claims Rejected Under 35 U.S.C. § 112, second paragraph

Claim 11 has been rejected under 35 U.S.C. § 112, second paragraph, for including a limitation without proper antecedent basis. The applicants have amended claim 11 to depend from claim 10 to provide proper antecedent basis for "the phase adjuster." Accordingly, reconsideration and withdrawal of the indefiniteness rejection of claim 11 are requested.

IV. Claims Provisionally Rejected on the Ground of Non-Statutory Obviousness Type Double Patenting

The Examiner has rejected claims 2-25, provisionally, as being unpatentable over claims 1-25 of copending Application No. 10/402,481. The applicants hold in abeyance any response to this provisional double patenting rejection until such time as it becomes non-provisional.

V. Claims Rejected Under 35 U.S.C. § 102

Claims 8 and 12 stand rejected under 35 U.S.C. § 102, as being anticipated by U.S. Patent No. 6,982,993 issued to Claveloux et al (hereinafter "Claveloux").

To establish anticipation, the Examiner must show that a single reference teaches each of the elements of a claim. Claims 8 and 12, as amended, include the elements of "a clock control logic circuit coupled to the primary memory and secondary memory to adjust a primary clock signal to synchronize an occupancy of the primary memory and the secondary memory." The applicants have reviewed Claveloux, but have been unable to discern any part therein that teaches these elements of claims 8 and 12. Accordingly, reconsideration and withdrawal of the anticipation rejection of claims 8 and 12 are requested.

VI. Allowable Subject Matter

The Examiner has not set forth any basis for rejecting claims 2-7, 9-11 and 13-25 other than the provisional double patenting rejection. Thus, the applicants note with appreciation that the Examiner implies that these claims contain allowable subject matter. Because the only basis of rejection is provision, applicants believe that these claims are in condition for allowance.

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CONCLUSION

In view of the foregoing, it is believed that all claims now pending, namely claims 2-26, patentably define the subject invention over the prior art of record, and are in condition for allowance and such action is earnestly solicited at the earliest possible date. If the Examiner believes that a telephone conference would be useful in moving the application forward to allowance, the Examiner is encouraged to contact the undersigned at (310) 207 3800.

Respectfully submitted,

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on 3-22-06.

  
Melissa Stead